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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-----------------------|---------------------|------------------|
| 09/842,127 | 04/26/2001 | Reginald C. Shiverick | 2589-101 | 6542 |
| 6449 | 7590 | 09/21/2005 | EXAMINER | |
| ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005 | | | TO, BAOQUOC N | |
| | | ART UNIT | PAPER NUMBER | |
| | | | 2162 | |

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

| Application No. | Applicant(s) |
|-----------------|------------------|
| 09/842,127 | SHIVERICK ET AL. |
| Examiner | Art Unit |
| Baoquoc N. To | 2162 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 01 July 2005.
2a) This action is FINAL. 2b) This action is non-final.
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-48 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) Claim(s) 3 and 15-36 is/are allowed.
6) Claim(s) 1,2,4-14 and 37-48 is/are rejected.
7) Claim(s) _____ is/are objected to.
8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

1. Claims 1-48 are pending and claims 15-36 are previously allowed. Claims 1-14 and 37-48 are presented for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2 and 4-14 and 37-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Shiiyama et al. (US. Patent No. 6,247,009 B1).

Regarding on claim 1, Shiiyama teaches a computer-implemented information retrieval method, comprising the steps of:

Generating a filtering query by specifying at least one query operator from selected data groupings of a filter tree table (col. 9, lines 26-28);

Running said filtering query against an unfiltered data table containing items of data (col. 9, lines 26-28);

Creating a filtered data table by receiving one or more data items filtered from said unfiltered data table in response to said filtering query and placing received data items in said filtered data table (col. 9, lines 29-30);

Displaying data items in said filtered data table (display the search result) (col. 9, lines 58-59);

Displaying filter data in said filter tree table, with said filter data including selected data groupings (the node table 132 displays additional information about the selected grouping) (col. 7, lines 45-46);

accepting a user input that selects or deselects a data grouping to be filtered and displayed (col. 9, lines 58-62); and

branching back to the generating step upon receipt of said user input (col. 9, lines 65-67).

Regarding on claim 2, Shiiyama teaches selecting one or more data sets (col. 9, lines 30-31);

Creating said unfiltered data table by receiving in said unfiltered data table a plurality of data items from said one or more data sets (col. 9, lines 45-62);

Displaying said plurality of data items of said unfiltered data table (col. 7, lines 45-62); and

Updating said filter tree table, with said filter tree table including selectable data groupings for said one or more data sets (col. 7, lines 45-62).

Regarding on claim 4, Shiiyama teaches the step of generating one or more data item results in response to said summary query (col. 9, lines 56-61).

Regarding on claim 5, Shiiyama teaches a preliminary step of selecting a data set (col. 9, lines 29-31).

Regarding on claim 6, Shiiyama teaches data set comprises a database (database collection 230) (col. 9, lines 25-26).

Regarding on claim 7, Shiiyama teaches data set comprises one or more data tables (database stores images) (col. 9, lines 29-31).

Regarding on claim 8, Shiiyama teaches a first filter level of said filter tree table corresponding to a column in said data set (fig. 3).

Regarding on claim 9, Shiiyama teaches the step of displaying a data item count for a particular data grouping (col. 9, lines 50-51).

Regarding on claim 10, Shiiyama teaches the step of displaying a data item count for a particular data grouping and updating all data items counts upon a data grouping selection or de-selection by said user (col. 9, lines 54-61).

Regarding on claim 11, Shiiyama teaches all data grouping are automatically recalculated upon a selection or de-selection by said user (col. 9, lines 58-61).

Regarding on claim 12, Shiiyama teaches generating a filtering query step includes creating said filtering query based on selected data groupings (col. 9, lines 29-31).

Regarding on claim 13, Shiiyama teaches filtering query is a SQL query (col. 97, lines 33-35).

Regarding on claim 14, Shiiyama teaches accepting a user input includes a user clicking on a selection icon, with said selection icon corresponding to a predetermined data grouping (col. 9, lines 57-62).

Claim 37 is rejected under the same reason as claim 1.

Regarding on claim 38, Shiiyama teaches information retrieval apparatus comprises a data server accessible to clients in a client-server arrangement (col. 12, lines 45-51).

Regarding on claim 39, Shiiyama teaches a user computer that further includes input and output devices (display) (col. 9, lines 29-30).

Regarding on claim 40, Shiiyama teaches a data source interface communicating with said processor and capable of receiving data from one or more external data sources (col. 11, lines 54-57).

Regarding on claim 41, Shiiyama teaches a data source interface communicating with said processor and capable of receiving data from one or more external data source, and wherein said data source interface is capable of translating received data items into a predetermined data format (col. 11, lines 54-57).

Regarding on claim 42, Shiiyama teaches at least one internal data source communicating with said processor (image database communication to the search system retrieve images in response to an input) (col. 9, lines 29-35).

Regarding on claim 43, Shiiyama teaches filter tree table is capable of storing data item counts corresponding to each data grouping (col. 7, lines 45-62).

Regarding on claim 44, Shiiyama teaches filter tree table is capable of storing data item results corresponding to each data grouping (col. 9, lines 20-25).

Regarding on claim 45, Shiiyama teaches processor is capable of generating a display of one or more data items corresponding to selected data groupings in said filter tree table (col. 9, lines 20-25).

Regarding on claim 46, Shiiyama teaches processor is capable of generating a display of a parameter filter comprising data grouping stored in said filter tree table (sort) (col. 9, lines 20-25).

Regarding on claim 47, Shiiyama processor is capable of generating a display of a parametric filter, comprising data grouping and data item counts stored in said filter tree table (search result) (col. 9, lines 50-51).

Regarding on claim 48, Shiiyama processor is capable of generating a display of a parametric filter comprising data grouping and data item results stored in said filter tree table (col. 9, lines 50-51).

Allowable Subject Matter

4. Claims 3 and 15-36 are allowed over prior art of record.

The following is an examiner's statement of reasons for allowance:

As to claim 15, none of the known prior art neither teach nor suggest "Generating a summary query from selected data grouping of said filtered tree table; running said summary query against said filtered data table; generating a summary result comprising a data item count for each selected data comprising; updating said filter tree table with said summary results; displaying filter data in said filter tree table, with said filter data

including selected data grouping and associated data item counts;" in conjunction with "Selecting one or more data sets; creating a unfiltered data table by receiving in said unfiltered data table a plurality of data items from said one or more data sets; displaying said plurality of data items of said unfiltered data table; generating a filter tree table, with said filter tree table including selectable data grouping for said one or more data sets; generating a filtering query from selected data grouping of said filter tree table, with said filtering query comprising one or more query operators; running said filtering query against said unfiltered data table; creating a filtered data table by receiving in said filtered data table one or more data items filtered from said unfiltered data table in response to said filtering query; displaying data items in said filtered data table; accepting a user input that selects or de-selects a data grouping to be filtered and displayed; and branching back to said updating a filter tree table step upon receipt of user input."

Claims 16-24 are dependent claims which allowed under the same reason as to claim 15.

Independent claim 25 shares similarities claim 15, therefore, it is allowed under the same reason as claim 15.

Claims 26-36 are dependent claims which are allowed under the same reason as to claim 25.

Dependent claim 3 shares the same similarities of claim 15, it would be allowable if written into independent claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

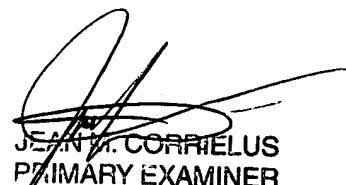
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Baoquoc N. To
Sept 17, 2005



JEAN M. CORRIEULUS
PRIMARY EXAMINER